

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Robbyjoe V. Yabut,

Plaintiff,

vs.

Las Vegas Metro Police Department,

Defendant.

Case No. 2:24-cv-01014-APG-MDC

**ORDER SUA SPONTE EXTENDING THE  
TIME TO FILE AN AMENDED  
COMPLAINT**

The Court dismissed pro se plaintiff Robbyjoe V. Yabut's complaint without prejudice and with leave to refile. *ECF No. 9*. Plaintiff has not filed an amended complaint and the time to do so has passed. *Id.* In the intervening time, plaintiff filed a notice of change of address, and it appears the Court's previous screening order was mailed to his prior address. *See ECF Nos. 10 and 11*. According to the docket entry, the Clerk reissued the Court's previous screening order (ECF No. 9) to the law library at the High Desert State Prison, which is plaintiff's new address. *See docket entry, modified on 2/11/25*. In an abundance of caution, however, and considering plaintiff's pro se status, the Court will allow plaintiff extra time to file an amended complaint as outlined in the Court's previous Order. *ECF No. 9*.

ACCORDINGLY,

IT IS SO ORDERED that:

1. The Clerk of Court is kindly directed to send a copy of this Order and to resend a copy of the Court's previous Order (*ECF No. 9*) to the plaintiff at [HDSP\\_LawLibrary@doc.nv.gov](mailto:HDSP_LawLibrary@doc.nv.gov).
2. Plaintiff has until **March 24, 2025** to file an amended complaint addressing the issues discussed in the Court's previous screening Order. *ECF No. 9*. Failure to timely file an amended complaint that addresses the deficiencies noted in this Order may result in a recommendation for dismissal.
3. The Clerk of the Court is directed NOT to issue summons if plaintiff files an amended

1 complaint. The Court will issue a screening order on the amended complaint and address the  
2 issuance of summons at that time, if applicable. See 28 U.S.C. § 1915(e)(2).

3 IT IS SO ORDERED.

4 DATE: February 21, 2025.

  
Hon. Maximiliano D. Couvillier, III  
United States Magistrate Judge

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8 **NOTICE**

9 Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and  
10 recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk  
11 of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal  
12 may determine that an appeal has been waived due to the failure to file objections within the specified  
13 time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985).

14 This circuit has also held that (1) failure to file objections within the specified time and (2)  
15 failure to properly address and brief the objectionable issues waives the right to appeal the District  
16 Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d  
17 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).  
18 Pursuant to LR IA 3-1, the plaintiff must immediately file written notification with the court of any  
19 change of address. The notification must include proof of service upon each opposing party's attorney,  
20 or upon the opposing party if the party is unrepresented by counsel. Failure to comply with this rule may  
21 result in dismissal of the action.  
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